

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADAM BLUE COLGAN,

Defendant.

CR-13-114-GF-BMM-01

**ORDER ADOPTING MAGISTRATE
JUDGE'S FINDINGS AND
RECOMMENDATIONS TO REVOKE
DEFENDANT'S SUPERVISED RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on August 5, 2015. (Doc. 52). Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on August 4, 2015. (Doc. 49.) Colgan admitted to having violated special condition 1 of his supervised release because he no longer resided in Blue Thunder Lodge in Great Falls, Montana, after being terminated from the program. (*Id.*) Judge Johnston found the

evidence sufficient to establish that Colgan violated the conditions of his supervised release. (*Id.*)

Judge Johnston recommends this Court revoke Colgan's supervised release and that the Court sentence Colgan to six (6) months imprisonment followed by twenty-four (24) months of supervised release. (Doc. 52) Judge Johnston further recommends that the conditions of supervised release previously imposed should remain in effect. (*Id.*)

Colgan's criminal history category is I, the current violation is a Grade C, and the underlying offense is a Class C felony. The statutory range is a maximum of 24 months. The statutory and guideline term of supervised release is 30 months, less any custody time imposed.

This Court finds no clear error in Judge Johnston's Findings and Recommendations. Colgan's current violation is serious in nature. A sentence of six (6) months imprisonment with a term of twenty-four (24) months supervised release to follow is sufficient, but not greater than necessary.

IT IS HEREBY ORDERED that Judge Johnston's Findings and Recommendations (Doc. 52) is ADOPTED IN FULL. **IT IS FURTHER ORDERED** that Defendant Adam Blue Colgan shall be sentenced to **six (6)**

months imprisonment followed by twenty-four (24) months of supervised release.

DATED this 3rd day of September, 2015.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

Brian Morris
United States District Court Judge